

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF
NEW YORK

2009 AUG 19 A 11:04

-----X
In Re:

RECEIVED

Chapter 11

Case No. 09-40780

-255

Yair Israel Babayoff a/ka Yaher Israel Babayoff
-----X

**NOTICE OF MOTION TO DISQUALIFY ATTORNEY GREGORY MESSER ESQ.
AND RACHEL BLUMINGFELD OF COUNSEL AS ATTORNEY FOR CREDITOR
SOLOMON FACHLAEV BASED ON PREVIOUS COUNSULTATION**

PLEASE TAKE NOTICE that upon the annexed Application filed by the Debtor for an Order Approving the disqualification of Solomon Fachlaev 's attorney based on the debtor consulting with the of counsel attorney Rachel Blumfeld in regards to the Debtor's first bankruptcy filing in 2007 and recently discussing matters on Chapter 11 case mentioning at all times of the consultation on going problems with the unsecured creditor Solomon Fachlaev who currently is being represented by, and the annexed affidavit of Yair Israel Babayoff affirmed August 18th 2009 the undersigned will present the attached proposed order granting the Motion to the Honorable Elizabeth S Stong, United States Bankruptcy Judge, for signature on August 31st 2009 at 9:00 a.m.

PLEASE TAKE FURTHER NOTICE that unless a written objection to the Motion is filed with the Bankruptcy Court electronically in accordance with General Order M-242 (General Order M-242 and the Users' Manual for the electronic case filing system can be found at www.nysb.uscourt.gov, the official website for the bankruptcy court), by registered users of the Bankruptcy Court's case filing system and, by all other

parties in interest, on a 3.5 inch disk, preferably in Portable Document Format (PDF), Wordperfect or any other Windows-based word processing format (with a hard copy delivered directly to Chambers), and served in accordance with General Order M-242, and shall be served upon (a) Yair Israel Babayoff 69-09 138th Street Apt# 3D Flushing New York 11367-1603 (b) the Office of the United States Trustee for the Eastern District of New York, and shall be filed with the Clerk of the United States Bankruptcy Court for the Eastern District of New York, in each case to allow actual receipt by each of the foregoing no later than August 26th 2009 at 5:00p.m., there will not be a hearing and the order may be signed.

PLEASE TAKE FURTHER NOTICE that if a written objection is timely served and filed in accordance with the previous paragraph, a hearing will be scheduled.

Dated: August 18th 2009

By: 

Yair Israel Babayoff Pro-se Debtor
144-33 Melbourne Avenue
Flushing NY. 11367-1341
(718) 544-9045

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In Re:

Chapter 11
Case No. 09-40780

Yair Israel Babayoff a/ka Yaher Israel Babayoff
-----X

**AFFIRMATION IN SUPPORT FOR DIQUALIFICATION OF GREGORY
MESSER ESQ AND RACHEL BLUMFELD ESQ. AS COUNSEL FOR SOLOMON
FACHLAEV AS UNSECURED CREDITOR BASED ON DEBTORS PRIOR
CONSULTATION WITH COUNSEL RESULTING IN CONFLICT OF INTEREST**

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

I Yair Israel Babayoff, affirms, deposes and says:

- 1- Debtor filed a Chapter 7 Bankruptcy petition pro-se in July 19th 2007, and Chapter 11 Case on February 3rd 2009.
- 2- Prior to the filing of the petition Debtor Received the phone number of Rachel Blumingfeld. Located at 26 Court Street Suite# 2400 Brooklyn NY. 11242 Who is “of counsel” for the unsecured creditor Solomon Fachlaev who is being represented by Gregory Messer.
- 3- Debtor Discussed in detail with Rachel Blumingfeld about ongoing problems with chapter 7 case.
- 4- Rachel Blumfeld although “of counsel” for Mr. Gregory Messer has already involved herself with debtor’s case and believes their is a conflict of interest which could be detrimental to the debtor
- 5- Rachel Blumingfeld shares the same office with Mr. Gregory Messer and Debtor believes that Mr. Gregory Messer involves Ms. Rachel Blumingfeld with his constant case flow including this one and could assist with legal support with Mr. Gregory Messer’s files
- 6- Debtor believes that once a person consults with an attorney on a certain matter those Communications are to remain confidential and debtor believes that the attorney is refrained from

Using this information on the same matter to represent the opposing side or against him or to Disclose this information to an “of counsel” associate.

7- Debtor believes that even though Rachel Blumingfeld is an “of counsel” status she already appeared on my case with the knowledge that she had consulted with me prior to a notice of her appearance in the same matter and debtor further believes that information can be divulged to Mr. Gregory Messer which is in violation of the client confidentiality rule.

8- It has also come to Debtor’s attention that Mr. Gregory Messer has made a Notice of Appearance Debtor’s father case involving the same alleged unsecured creditor which could entail the same Problem.

(Exhibit A)

9- On August 13th 2009 when Ms. Rachel Blumingfeld already made the appearance the court has Excused her Appearance based on Debtor’s allegation and based on her partial admission that there was some consultation on the current Chapter 11 Case on stating “General Terms” with both Debtor and his father, and which then Debtor then answered “that was not true and that he also spoke to Ms. Rachel Blumingfeld back in July of 2007 in regards to the Chapter 7 proceeding mentioning or identifying all aspects of my case which involved Solomon Fachlaev as a unsecured creditor.

10- Solomon Fachlaev has already done this before where in August 2006 prior of even Debtor suing attorney On a malpractice case Asher E. Taub a/o Atlases and Taub PC., who represented me in the closing in connection with 1416 Putnam Avenue Mr. Asher Taub chose upon himself to divulge information to Mr. Solomon Fachlaev upon Mr. Fachlaev’s request and with the knowledge that Mr. Solomon Fachalev’s knew that Mr. Asher Taub and his firm represented the debtor, by representing Solomon Fachalev and sending communication to HPD. **(Exhibit B)**

11- Debtor believes that by Mr. Gregory Messer representing Mr. Solomon Fachlaev could be a conflict of interest, violation of attorney client privileges, and damaging by Ms. Rachel Blumfeld

making herself available to Mr. Gregory Messer in assisting him with the case for Solomon Fachlaev.

12- Current Counsel has an interest in representing this creditor in particular due to the fact that

Counsel is not required to obtain a retention order on legal fee's and a possible insight of Debtor Case

13- As stated on August 18th 2009 in the Telephone Conference on Debtor's case Mr. Gregory Messer

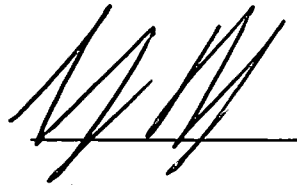
already made it clear that Rachel Blumingfeld shares an office with Mr. Gregory Messer giving Ms.

Rachel Blumingfeld complete access to files

14- Debtor is praying that the motion to disqualify counsel to be granted and for Solomon Fachalev

To new retain counsel and Debtor is willing to provide a list of counsel that Debtor has consulted

with to avoid a repeat of the same problem.



Yair Israel Babayoff

Sworn to before me this

18 day of ~~April~~ ^{August} 2009

Isaac N. Zedner

Notary Public

Isaac N. Zedner
Notary Public, State of New York
Qualified in Queens County
No. 01ZE6193425
My Commission Expires September 15, 2012

[Handwritten signature]

NY Commission Expires September 12, 2015
No. 01520162452
Queens County
Joseph P. DeSantis
Joseph P. DeSantis
Joseph P. DeSantis

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

----- X

In Re:

Case No. 109-40780 (ESS)

YAIR ISRAEL BABAYOFF,

Debtor(s).

Chapter 11

Debtor.

----- X

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE, that the undersigned hereby appears on behalf of Solomon Fachlaev in the within proceeding.

Please send copies of all Notices and all papers filed in the case to the undersigned. Further, please add our firm name to the mailing matrix.

DATED: August 14, 2009
Brooklyn, New York

Yours, etc.

Law Offices of Gregory Messer
Attorneys for Solomon Fachlaev

By: /s/ Gregory Messer
Gregory Messer, Esq.
Bar Code: GM#7539
26 Court Street, Suite 2400
Brooklyn, NY 11242
(718) 858-1474

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

----- X

In Re:

Case No. 108-45320 (ESS)

RAMI RIBI BABAYOFF,

Debtor(s).

Chapter 7

Debtor.

----- X

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE, that the undersigned hereby appears on behalf of Solomon Fachlaev in the within proceeding.

Please send copies of all Notices and all papers filed in the case to the undersigned. Further, please add our firm name to the mailing matrix.

DATED: August 14, 2009
Brooklyn, New York

Yours, etc.

Law Offices of Gregory Messer
Attorneys for Solomon Fachlaev

By: /s/ Gregory Messer

Gregory Messer, Esq.
Bar Code: GM#7539
26 Court Street, Suite 2400
Brooklyn, NY 11242
(718) 858-1474

EXHIBIT B

17188912274

Alatsas & Taub, P.C.

Attorneys At Law
2115 Avenue U
Brooklyn, NY 11229
(718) 891-1200
Fax (718) 891-2274

FAX COVER SHEET

TO: Grace Samala, @ Dept of Housing, Preservation & Development

COMPANY: _____

FAX No.: (212) 803-7300 DATE: 08 / 03 / 2006

RE: 1416 Putnam Ave.

NO. OF PAGES: _____ (Including Cover Sheet)

FROM: Theodore Alatsas _____ Asher E. Taub _____ Chaim Dahan _____
Milagros Tassey _____ Jason Rebhun _____ Mina Schorr _____

COMMENTS:

NOTE AS TO CONFIDENTIALITY

This and any accompanying pages contain information from the law firm of Alatsas & Taub, P.C., which is confidential and/or privileged. The information is intended for the use of the above only. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this in error, please notify our offices by telephone immediately, so that we can arrange for retrieval of the original documents at no cost to you.

17188912274

03 12 05 p m

08-03-2006

2/2

ALATSAS and TAUB, P.C.

ATTORNEYS AT LAW
2115 AVENUE U, BROOKLYN, NY 11229
(718) 891-1200 • FAX (71) 891-2274

THEODORE ALATSAS
ASHER E. TAUB *

CHAIM DAHAN, ESQ. *
Direct Dial (718) 769-2500
* ALSO ADMITTED IN NEW JERSEY

August 3, 2006

VIA FAX (212) 863-7300

Dept. of Housing, Preservation & Development
Att: Grace Samala

Re: 1416 Putnam Avenue
Brooklyn, New York

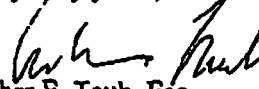
Dear Ms. Samala,

Please be advised that we represent Mr. Solomon Fachalayev, who holds a private mortgage for the 1416 Putnam Avenue property. To date Mr. Fachalayev has not received a payment for this mortgage and might foreclose on this premises. He would like to know the status of the property before doing so.

Please provide our firm with status of said property.

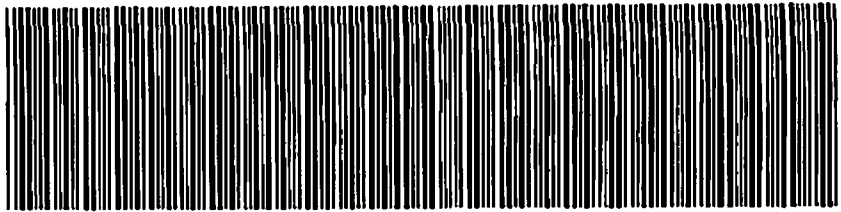
Thank you for your prompt attention to this matter.

Very truly yours,


Asher E. Taub, Esq.

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.


2005101901463001011EB6F6
RECORDING AND ENDORSEMENT COVER PAGE
PAGE 1 OF 5
Document ID: 2005101901463001
Document Date: 09-28-2005
Preparation Date: 06-09-2006
Document Type: DEED
Document Page Count: 4
PRESENTER:

THRESHOLD LAND, INC.,
584 MAIN STREET
SUITE 2
ISLIP, NY 11751
631-224-1345
TRICIAMILLER@THRESHOLDLAND.COM

RETURN TO:

THRESHOLD LAND, INC.,
584 MAIN STREET
SUITE 2
ISLIP, NY 11751
631-224-1345
TRICIAMILLER@THRESHOLDLAND.COM

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	3378	20	Entire Lot 6	1416 PUTNAM AVENUE
Property Type: APARTMENT BUILDING				

CROSS REFERENCE DATA
CRFN: 2005000607799
PARTIES
GRANTOR/SELLER:

AURORA LOAN SERVICES
327 INVERNESS DRIVE SOUTH
EAGLEWOOD, CO 80112

GRANTEE/BUYER:

YAIR ISRAEL BABAYOFF
144-33 MELBOURNE AVENUE
FLUSHING, NY 11367

FEES AND TAXES

Mortgage			Recording Fee: \$	57.00
Mortgage Amount:	\$	0.00	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax Filing Fee:	
Exemption:			\$	165.00
TAXES: County (Basic):	\$	0.00	NYS Real Estate Transfer Tax:	
City (Additional):	\$	0.00	Ref.No. 200509300026030105 PREPAID \$	1,692.00
Spec (Additional):	\$	0.00		
TASF:	\$	0.00		
MTA:	\$	0.00		
NYCTA:	\$	0.00		
Additional MRT:	\$	0.00		
TOTAL:	\$	0.00		

**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE
CITY OF NEW YORK**

Recorded/Filed 06-14-2006 12:59
City Register File No.(CRFN):
2006000334432



Annette M. Hill

City Register Official Signature

NYC HPD Preliminary Residential Property Transfer Form

THIS INDENTURE, made as of the ^{28th} day of September, 2005

BETWEEN Aurora Loan Services, 327 Inverness Drive South, Englewood, Colorado
80112

party of the first part,

Yair Israel Bab'yoff, residing at 144-33 Melbourne Avenue, Flushing, New
York 11367

party of the second part,

WITNESSETH, that the party of the first part, in consideration of (\$ 415,000) four hundred fifteen thousand Dollars and 00/100 Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situated, lying and being in the County of Kings, State of New York, bounded and described as follows:

See Attached Schedule A, annexed hereto and made a part hereof, said property being commonly known as:

1416 Putnam Avenue, Brooklyn, New York 11213

Being and intended to be the same as in deed dated September 26, 2005 from Federal National Mortgage Association to Aurora Loan Services to be recorded simultaneously herewith.

This transaction is made in the regular course of grantor=s business.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

Aurora Loan Services

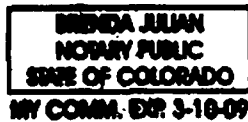
By: _____



Marc Burnidge
Vice President

STATE OF Colorado)
COUNTY OF Douglas) ss.

On the 28th Day of September in the year 2005 before me, the undersigned, personally appeared Marc Burridge of Aurora, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) described in the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the City of Englewood, State of Colorado



Brenda Julian
Notary Public

SEAL

Aurora Loan Services

TO

Yair Israel Babyoff

DEED

BLOCK: 3378
LOT: 20

RECORD AND RETURN TO:

Alatsas & Taub
2115 Avenue U
Brooklyn, New York 11242
Attn: Chaim Bahan, Esq.

Schedule A Description

Title Number TL95-30335

Page 1

Section

Block 3376

Lot 20

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at a point on the southerly side of Putnam Avenue distant 298 feet 9 inches westerly from the corner formed by the intersection of Putnam Avenue and the westerly side of Irving Avenue;

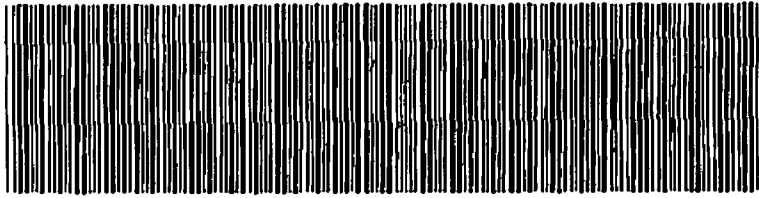
RUNNING THENCE westerly along Putnam Avenue, 28 feet 3 inches;

THENCE southerly parallel with Irving Avenue and part of the distance through a party wall, 100 feet;

THENCE easterly and parallel with Putnam Avenue, 28 feet 3 inches;

THENCE northerly parallel with Irving Avenue and part of the distance through a party wall, 100 feet to the point or place of BEGINNING.

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**



2005101901463001011S7877

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2005101901463001

Document Date: 09-28-2005

Preparation Date: 06-09-2006

Document Type: DEED

ASSOCIATED TAX FORM ID: 2006030900032


SUPPORTING DOCUMENTS SUBMITTED:

**RP - 5217 REAL PROPERTY TRANSFER REPORT
SMOKE DETECTOR AFFIDAVIT**

Page Count

2

1

FOR CITY USE ONLY				REAL PROPERTY TRANSFER REPORT STATE OF NEW YORK STATE BOARD OF REAL PROPERTY SERVICES RP - 5217NYC <small>(Rev 11/2009)</small>	
C1. County Code	C2. Date Deed Recorded	C3. Book OR C5. CRFN	C4. Page		
<div style="border-bottom: 1px solid black; width: 100%; height: 20px;"></div>	<div style="border-bottom: 1px solid black; width: 100%; height: 20px;"></div>	<div style="border-bottom: 1px solid black; width: 100%; height: 20px;"></div>	<div style="border-bottom: 1px solid black; width: 100%; height: 20px;"></div>		

PROPERTY INFORMATION				
1. Property Location	1416 <small>STREET NUMBER</small>	PUTNAM AVENUE 6 <small>STREET NAME</small>	BROOKLYN <small>BOROUGH</small>	11237 <small>ZIP CODE</small>
2. Buyer Name	BABAYOFF <small>LAST NAME / COMPANY</small>		YAIR ISRAEL <small>FIRST NAME</small>	
3. Tax Biling Address	Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form) <small>LAST NAME / COMPANY</small>		 <small>FIRST NAME</small>	
4. Indicate the number of Assessment Roll parcels transferred on the deed	26 <small>FRONT FEET</small>	100 <small>DEPTH</small>	OR	<input type="checkbox"/> <small>ACRES</small>
5. Deed Property Size	26 X 100		OR <input type="checkbox"/> ACRES	
6. Seller Name	AURORA LOAN SERVICES <small>LAST NAME / COMPANY</small>		 <small>FIRST NAME</small>	
9. Check the box below which most accurately describes the use of the property at the time of sale:	<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> A <input type="checkbox"/> One Family Residential B <input type="checkbox"/> 2 or 3 Family Residential </div> <div style="width: 50%;"> C <input type="checkbox"/> Residential Vacant Land D <input type="checkbox"/> Non-Residential Vacant Land </div> <div style="width: 50%;"> E <input type="checkbox"/> Commercial Apartment F <input checked="" type="checkbox"/> Apartment </div> <div style="width: 50%;"> G <input type="checkbox"/> Entertainment / Amusement Community Service H <input type="checkbox"/> Industrial Public Service </div> <div style="width: 50%;"> I <input type="checkbox"/> Industrial J <input type="checkbox"/> Public Service </div> </div>			

4A. Planning Board Approval - N/A for NYC

4B. Agricultural District Notice - N/A for NYC

Check the boxes below as they apply:

6. Ownership Type is Condominium ☐

7. New Construction on Vacant Land ☐

SALE INFORMATION			14. Check one or more of these conditions as applicable to transfer:	
10. Sale Contract Date	<div style="display: flex; justify-content: space-around; font-size: 1.2em;"> 9 28 2005 </div> <div style="display: flex; justify-content: space-around; font-size: 0.8em;"> Month Day Year </div>	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> <input type="checkbox"/> Sale Between Relatives or Former Relatives </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> <input type="checkbox"/> Sale Between Related Companies or Partners in Business </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> <input type="checkbox"/> One of the Buyers is also a Seller </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> <input type="checkbox"/> Buyer or Seller is Government Agency or Lending Institution </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> <input type="checkbox"/> Deed Type not Warranty or Bargain and Sale (Specify Below) </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> <input type="checkbox"/> Sale of Fractional or Less than Fee Interest (Specify Below) </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> <input type="checkbox"/> Significant Change in Property Between Taxable Status and Sale Date </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> <input type="checkbox"/> Sale of Business is Included in Sale Price </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> <input type="checkbox"/> Other Unusual Factors Affecting Sale Price (Specify Below) </div> <div style="border: 1px solid black; padding: 2px;"> <input checked="" type="checkbox"/> None </div>		
11. Date of Sale / Transfer	<div style="display: flex; justify-content: space-around; font-size: 1.2em;"> 9 30 2005 </div> <div style="display: flex; justify-content: space-around; font-size: 0.8em;"> Month Day Year </div>			
12. Full Sale Price \$	<div style="display: flex; align-items: center;"> <div style="flex-grow: 1; border-bottom: 1px solid black; position: relative;"> <div style="position: absolute; left: 0; top: -10px; width: 100%; height: 1px; background: linear-gradient(to right, transparent 49%, black 49%, black 51%, transparent 51%);"></div> <div style="position: absolute; left: 49%; top: -10px; width: 2%; height: 1px; background: linear-gradient(to right, transparent 49%, black 49%, black 51%, transparent 51%);"></div> <div style="position: absolute; left: 51%; top: -10px; width: 2%; height: 1px; background: linear-gradient(to right, transparent 49%, black 49%, black 51%, transparent 51%);"></div> <div style="position: absolute; left: 99%; top: -10px; width: 2%; height: 1px; background: linear-gradient(to right, transparent 49%, black 49%, black 51%, transparent 51%);"></div> </div> <div style="margin-left: 10px; font-size: 1.5em; font-weight: bold;"> 415,000 </div> </div>			
<p>(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.</p>				
13. Indicate the value of personal property included in the sale	<div style="display: flex; align-items: center;"> <div style="flex-grow: 1; border-bottom: 1px solid black; position: relative;"> <div style="position: absolute; left: 0; top: -10px; width: 100%; height: 1px; background: linear-gradient(to right, transparent 49%, black 49%, black 51%, transparent 51%);"></div> <div style="position: absolute; left: 49%; top: -10px; width: 2%; height: 1px; background: linear-gradient(to right, transparent 49%, black 49%, black 51%, transparent 51%);"></div> <div style="position: absolute; left: 51%; top: -10px; width: 2%; height: 1px; background: linear-gradient(to right, transparent 49%, black 49%, black 51%, transparent 51%);"></div> <div style="position: absolute; left: 99%; top: -10px; width: 2%; height: 1px; background: linear-gradient(to right, transparent 49%, black 49%, black 51%, transparent 51%);"></div> </div> </div>			

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

15. Building Class C 2 16. Total Assessed Value (of all parcels in transfer) 31417

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional Identifier(s))

BROOKLYN 3378 20

CERTIFICATION		I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.	
BUYER		BUYER'S ATTORNEY	
_____ BUYER SIGNATURE		_____ LAST NAME	
_____ DATE		_____ FIRST NAME	
_____ STREET NUMBER		_____ 718 891-1200	
_____ STREET NAME (AFTER SALE)		_____ AREA CODE TELEPHONE NUMBER	
_____ CITY OR TOWN		_____ SELLER	
_____ STATE		_____ SELLER SIGNATURE	
_____ ZIP CODE		_____ DATE	

2006030900032201

CERTIFICATION		I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.	
BUYER		BUYER'S ATTORNEY	
BUYER SIGNATURE <i>[Signature]</i>	DATE	LAST NAME	FIRST NAME
144-33		718	891-1200
STREET TO NUMBER	STREET NAME (AFTER SALE)	AREA CODE	TELEPHONE NUMBER
144-33	Melbourne Ave.		
SELLER		SELLER	
CITY AND STATE	STATE	ZIP CODE	DATE
Flushing	NY	11367	
SELLER SIGNATURE <i>[Signature]</i>		DATE	

2005093000260201

Schedule A Description

Title Number TL95-20336

Page 1

Section

Block 3376

Lot 20

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at a point on the southerly side of Putnam Avenue distant 288 feet 9 inches westerly from the corner formed by the intersection of Putnam Avenue and the westerly side of Irving Avenue;

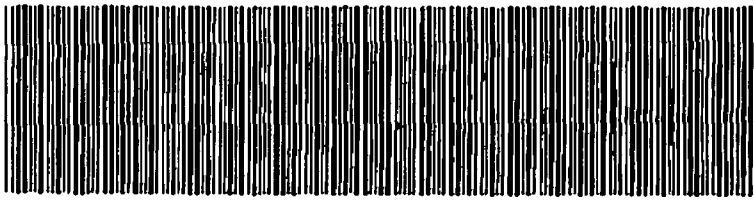
RUNNING THENCE westerly along Putnam Avenue, 26 feet 3 inches;

THENCE southerly parallel with Irving Avenue and part of the distance through a party wall, 100 feet;

THENCE easterly and parallel with Putnam Avenue, 28 feet 3 inches;

THENCE northerly parallel with Irving Avenue and part of the distance through a party wall, 100 feet to the point or place of BEGINNING.

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**



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SUPPORTING DOCUMENT COVER PAGE

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SUPPORTING DOCUMENTS SUBMITTED:

**RP - 5217 REAL PROPERTY TRANSFER REPORT
SMOKE DETECTOR AFFIDAVIT**

Page Count

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FOR CITY USE ONLY

C1. County Code C2. Date Deed Recorded / /
 Month Day Year
 C3. Book C4. Page
 OR
 C5. CRFM



REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK
 STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

(Rev 11/2003)

PROPERTY INFORMATION

1. Property Location 1416 POTNAM AVENUE 6 BROOKLYN 11237
 STREET NUMBER STREET NAME BOROUGH ZIP CODE
 2. Buyer Name BABAYOFF YAIR ISRAEL
 LAST NAME / COMPANY FIRST NAME
 LAST NAME / COMPANY FIRST NAME
 3. Tax Billing Address
 Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form) LAST NAME / COMPANY FIRST NAME
 STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE
 4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel
 5. Deed Property Size 26 X 100 OR ACRES
 FRONT FEET DEPTH
 6. Seller Name AURORA LOAN SERVICES
 LAST NAME / COMPANY FIRST NAME
 LAST NAME / COMPANY FIRST NAME

4A. Planning Board Approval - N/A for NYC
 4B. Agricultural District Notice - N/A for NYC

Check the boxes below as they apply:

6. Ownership Type is Condominium ☐
 7. New Construction on Vacant Land ☐

9. Check the box below which most accurately describes the use of the property at the time of sale:

A ☐ One Family Residential C ☐ Residential Vacant Land E ☐ Commercial G ☐ Entertainment / Amusement I ☐ Industrial
 B ☐ 2 or 3 Family Residential D ☐ Non-Residential Vacant Land F ☒ Apartment H ☐ Community Service J ☐ Public Service

SALE INFORMATION

10. Sale Contract Date 9 / 28 / 2005
 Month Day Year
 11. Date of Sale / Transfer 9 / 30 / 2005
 Month Day Year
 12. Full Sale Price \$ 415,000
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.
 13. Indicate the value of personal property included in the sale

14. Check one or more of these conditions as applicable to transfer:

A ☐ Sale Between Relatives or Former Relatives
 B ☐ Sale Between Related Companies or Partners in Business
 C ☐ One of the Buyers is also a Seller
 D ☐ Buyer or Seller is Government Agency or Lending Institution
 E ☐ Deed Type not Warranty or Bargain and Sale (Specify Below)
 F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)
 G ☐ Significant Change in Property Between Taxable Status and Sale Dates
 H ☐ Sale of Business is Included in Sale Price
 I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)
 J ☒ None

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

15. Building Class C 2 16. Total Assessed Value (of all parcels in transfer) 314,171
 17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional Identifier(s))
BROOKLYN 3378 20

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER

BUYER SIGNATURE DATE
 STREET NUMBER STREET NAME (AFTER SALE)
 CITY OR TOWN STATE ZIP CODE

BUYER'S ATTORNEY

LAST NAME FIRST NAME
718 891-1200
 AREA CODE TELEPHONE NUMBER
 SELLER
 SELLER SIGNATURE DATE

2006030900032201

CERTIFICATION		I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.	
BUYER		BUYER'S ATTORNEY	
BUYER SIGNATURE	DATE	LAST NAME	FIRST NAME
<i>[Signature]</i>		718	891-1200
STREET NUMBER	STREET NAME (AFTER SALE)	AREA CODE	TELEPHONE NUMBER
144-33	me/Bourne Ave.		
CITY OR TOWN	STATE	ZIP CODE	DATE
Flushing	NY	11367	
SELLER		SELLER SIGNATURE	
		<i>[Signature]</i>	

2005093000260201

Affidavit of Compliance with Smoke Detector Requirement for One and Two Family Dwellings

**AFFIDAVIT OF COMPLIANCE
WITH SMOKE DETECTOR REQUIREMENT
FOR ONE- AND TWO-FAMILY DWELLINGS**

State of New York)
) SS.:
County of)

The undersigned, being duly sworn, depose and say under penalty of perjury that they are the grantor and grantee of the real property or of the cooperative shares in a cooperative corporation owning real property located at

1416 PUTNAM AVENUE

	<small>Street Address</small>		<small>Unit/Apt.</small>
BROOKLYN	New York,	3378	20
<small>Borough</small>		<small>Block</small>	<small>Lot</small>
		(the "Premises"):	

That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of Title 27 of the Administrative Code of the City of New York concerning smoke detecting devices:

That they make affidavit in compliance with New York City Administrative Code Section 11-2105 (g). (The signatures of at least one grantor and one grantee are required, and must be notarized).

Stephanie E. Moore
Name of Grantor (Type or Print)

Signature of Grantor

Yan Isaac Babayoff
Name of Grantee (Type or Print)

Signature of Grantee

Sworn to before me
this 30 date of September 2000

JUDI R. KAMSLER
Notary Public, State of New York
No. 01KA6083482
Qualified in Bronx County
Commission Expires June 2, 2001

Sworn to before me
this 30 date of September 2000

JUDI R. KAMSLER
Notary Public, State of New York
No. 01KA6083482
Qualified in Bronx County
Commission Expires June 2, 2001

These statements are made with the knowledge that a willfully false representation is unlawful and is punishable as a crime of perjury under Article 210 of the Penal Law.

NEW YORK CITY REAL PROPERTY TRANSFER TAX RETURNS FILED ON OR AFTER FEBRUARY 6th, 1990, WITH RESPECT TO THE CONVEYANCE OF A ONE- OR TWO-FAMILY DWELLING, OR A COOPERATIVE APARTMENT OR A CONDOMINIUM UNIT IN A ONE- OR TWO-FAMILY DWELLING, WILL NOT BE ACCEPTED FOR FILING UNLESS ACCOMPANIED BY THIS AFFIDAVIT.

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